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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/554,298	11/18/2005	Klaus Rutz	29805.132.2	4353
22859	7590	04/16/2009	EXAMINER	
INTELLECTUAL PROPERTY GROUP			STIMPERT, PHILIP EARL	
FREDRIKSON & BYRON, P.A.				
200 SOUTH SIXTH STREET, SUITE 4000			ART UNIT	PAPER NUMBER
MINNEAPOLIS, MN 55402			3746	
			MAIL DATE	DELIVERY MODE
			04/16/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

***Response to Arguments***

1. Applicant's arguments filed 27 March 2009 have been fully considered but they are not persuasive.
2. With respect to the argument that a combination of Haberlander et al. and Llewellyn would change the principle of operation of Haberlander et al., the examiner disagrees. The examiner believes that the principle of operation of Haberlander et al. is substantially that of a positive displacement pump. This principle is not changed by the alteration of the particular stroke velocity profile. The examiner also submits that one of ordinary skill would be motivated to alter the velocity profile in order to produce a uniform flow rate, as set forth in the rejection. The examiner further notes that several benefits of a pump system capable of controlling its cam rotation speed would be apparent to those of ordinary skill, such as simplification of cam manufacture (especially as compared to Llewellyn) and increased versatility of the pump, i.e. the ability to operate in other modes.
3. With respect to the argument that Haberlander et al. teach away from the proposed modification, the examiner disagrees. As above, the examiner notes that modification of the pumping process of Haberlander et al. is considered to be motivated by the teachings of Llewellyn in regards to a uniform flow rate.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Stimpert whose telephone number is (571)270-1890. The examiner can normally be reached on Mon-Fri 7:30AM-4:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Devon Kramer can be reached on (571) 272-7118. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Devon C Kramer/  
Supervisory Patent Examiner, Art  
Unit 3746

/P. S./  
Examiner, Art Unit 3746  
13 April 2009